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Attorneys for Debtors
and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
In re: : **Chapter 11 Case No.**
:
LEHMAN BROTHERS HOLDINGS INC., et al. : **08-13555 (JMP)**
:
: **Debtors.** : **(Jointly Administered)**
-----X

**OBJECTION TO MOTION OF MARK GLASSER SEEKING RELIEF
PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9006(b)(1)**

TO THE HONORABLE JAMES M. PECK,
UNITED STATES BANKRUPTCY JUDGE:

Lehman Brothers Holdings Inc. (“LBHI”) and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and as debtors in possession (together, the “Debtors”), respectfully submit this response in opposition (the “Objection”) to the motion¹ of Mark Glasser for entry of an order, pursuant to Bankruptcy Rule 9006(b)(1), allowing Mr. Glasser to file a late proof of claim, and respectfully represent:

BACKGROUND

1. Commencing on September 15, 2008 and periodically thereafter (as applicable, the “Commencement Date”), LBHI and certain of its subsidiaries commenced with

¹ The motion consists of the Notice of Motion and the Declaration of Mark Glasser (collectively, the “Motion”) [Docket No. 6386].

this Court voluntary cases under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). The Debtors’ chapter 11 cases have been consolidated for procedural purposes only and are being jointly administered pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”). The Debtors are authorized to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

2. On September 19, 2008, a proceeding was commenced under the Securities Investor Protection Act of 1970 (“SIPA”) with respect to Lehman Brothers Inc. (“LBI”). A trustee appointed under SIPA is administering LBI’s estate.

3. As of the Commencement Date, Mr. Glasser was an employee of LBI. Following the Commencement Date, Mr. Glasser transferred to Barclays Capital Inc., where he is currently employed. *See* Motion at ¶ 1.

4. By order, dated July 2, 2009 (the “Bar Date Order”) [Docket No. 4271], the Court, *inter alia*, established September 22, 2009 at 5:00 p.m. as the deadline (the “Bar Date”) for filing certain proofs of prepetition claims against the Debtors in these chapter 11 cases and approved the form and manner of notice thereof (the “Bar Date Notice”).

5. Pursuant to the Bar Date Order, the Bar Date Notice was served on all former employees of the Debtors terminated after September 1, 2006. Mr. Glasser was served with the Bar Date Notice at his address known to the Debtors at 177 East 57th Street on July 8, 2009 – at least seventy-one (71) days prior to the Bar Date. The relevant pages of the affidavit of service demonstrating that Mr. Glasser was served with the Bar Date Notice are annexed hereto as Exhibit A.

THE MOTION SHOULD BE DENIED

6. The Debtors served the Bar Date Notice at the address set forth for Mr. Glasser in the Debtors' books and records—117 East 57th Street. The Debtors also published notice of the Bar Date in *The New York Times* (International Edition), *The Wall Street Journal* (International Edition), and *The Financial Times* on August 4, 2009. By his Motion, Mr. Glasser admits that he “had an address at 117 East 57th Street and received some mail there.” The Debtors did not receive any notice from Mr. Glasser of change of address. As set forth in the Affidavit of Herb Baer, Director of Client Services of Epiq Bankruptcy Solution, LLC (“Epiq”), the Debtors' Court appointed claims and noticing agent (the “Affidavit”), Mr. Glasser's Bar Date Notice was never (i) returned by the United States Post Office (the “Post Office”) to Epiq as undeliverable nor (ii) forwarded by the Post Office to another address pursuant to a change of address request. The Affidavit is annexed hereto as Exhibit B.

7. The standard for relief for excusable neglect pursuant to Rule 9006(b) of the Bankruptcy Rules is set forth in *Pioneer Inv. Serv. Co. v. Brunswick Assocs. L.P.*, 507 U.S. 380, 395 (1993). The application of *Pioneer* in the Second Circuit, including the “hard line” approach as set forth in *In re Enron Corp.*, 419 F.3d 115, 122-24 (2d Cir. 2005), has been discussed in detail in prior pleadings filed by the Debtors in these chapter 11 cases. Under the circumstances, the Motion does not plead facts that satisfy the burden required by courts in the Second Circuit. Accordingly, the Motion should be denied.

RESERVATION OF RIGHTS

8. In the event that the Court determines to grant the relief requested in the Motion, the Debtors reserve all of its rights to object to the validity and amount of any claims which may be filed by the applicable creditor.

9. The Debtors reserve the right to conduct discovery as to the matters raised in the Motion and to supplement this filing as a result thereof.

WHEREFORE the Debtors respectfully requests the Court deny the Motion and grant such other and further relief as is just and proper.

Dated: April 15, 2010
New York, New York

/s/ Shai Y. Waisman
Shai Y. Waisman
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153-0119
Telephone: (212) 310-8000
Facsimile: (212) 310-8007

Attorneys for the Debtor and
Debtor In Possession

Exhibit A

Affidavit of Service

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----x	
In re	:
	:
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:
	:
Debtors.	:
	:
-----x	
	Chapter 11 Case No.
	08-13555 (JMP)
	(Jointly Administered)
	Ref. Docket No. 4271

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

HERB BAER, being duly sworn, deposes and says:

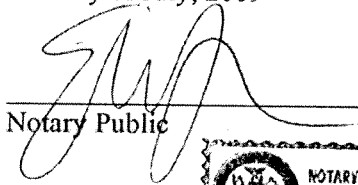
1. I am employed by Epiq Bankruptcy Solutions, LLC, located at 757 Third Avenue, New York, New York 10017. I am over the age of eighteen years and am not a party to the above-captioned action.
2. On July 8, 2009, I caused to be served the:
 - a) "NOTICE OF DEADLINES FOR FILING PROOFS OF CLAIM", dated July 8, 2009, a copy of which is attached as Exhibit "A" (the "Bar Date Notice"),
 - b) "PROOF OF CLAIM" form, a copy of which is attached hereto as Exhibit "B", (the "General Proof of Claim Form"), and
 - c) "PROOF OF CLAIM" form with a legend stating "Notice of Scheduled Claim", a copy of which is attached hereto as Exhibit "C", (the "Schedule Proof of Claim Form")by causing true and correct copies of the:
 - a) Bar Date Notice and a blank General Proof of Claim Form to be enclosed securely in separate postage pre-paid envelopes and delivered by first class mail to those parties listed on the attached Exhibit "D",
 - b) Bar Date Notice and a General Proof of Claim Form, personalized to include the name and address of the creditor, to be enclosed securely in separate postage pre-paid envelopes and delivered by first class mail to those parties listed on the attached Exhibit "E", and
 - c) Bar Date Notice and a Schedule Proof of Claim Form, personalized to include the name and address of the creditor and debtor, amount, nature, classification and description of the scheduled claim, to be enclosed securely in separate postage pre-paid envelopes and delivered by first class mail to those parties listed on the attached Exhibit "F".

3. All envelopes utilized in the service of the foregoing contained the following legend:
"LEGAL DOCUMENTS ENCLOSED. PLEASE DIRECT TO ATTENTION OF
ADDRESSEE, PRESIDENT OR LEGAL DEPARTMENT."



Herb Baer

Sworn to before me this
10th day of July, 2009


Notary Public



Claim Name	Address Information
GLASS, ROBERT	330 EAST 38TH ST, APT 16L NEW YORK NY 10016
GLASS, CHARLOTTE	20 CANONS CLOSE RADLETT, GT LON WD7 7ER UNITED KINGDOM
GLASSER LEGALWORKS	395 HUDSON ST LBBY 1 NEW YORK NY 10014-3669
GLASSER, BARBARA	375 SOUTH END AVENUE NEW YORK NY 10280
GLASSER, MARK	117 EAST 57TH STREET APARTMENT 50B NEW YORK NY 10022
GLASSEY, OLIVIER	609 ESCONDIDO RD APT 234 STANFORD CA 94305-7021
GLASSHOUSE TECHNOLOGIES (UK) LIMITED	ST GEORGE'S HOUSE 31-33 MONUMENT HILL WEYBRIDGE KT13 8RN UK
GLASSHOUSE TECHNOLOGIES (UK) LIMITED	ST GEORGE'S HOUSE 31-33 MONUMENT HILL WEYBRIDGE KT13 8RN UNITED KINGDOM
GLASSHOUSE TECHNOLOGIES INC.	200 CROSSING BOULEVARD FRAMINGHAM MA 01702
GLASSHOUSE TECHNOLOGIES INC.	P.O. BOX 51262 LOS ANGELES CA 90051-5562
GLASSMAN, HARVEY	6982 ANTINORI LN. BOYNTON BEACH FL 33437
GLASSMAN, AUSTIN	32 HEREFORD STREET BOSTON MA 02115
GLASSMAN, MICHAEL	516 E 80TH ST APT 28 NEW YORK NY 100750763
GLASSMAN, TAMILYN	346 LARKIN LANE CHESTERTON IN 46304
GLASSPAANE ALUMINIUM (I)M PVT. LTD.	A-754, A BLOCK TTC, MIDC INDUSTRIAL AREA KHAIRNA, THANE, NAVI MUMBAI MH INDIA
GLASSTAP LIMITED	7 SKELGILLSIDE WORKSHOPS ALSTON ALSTON, CUMB CA9 3TR UNITED KINGDOM
GLASSTAP LIMITED	7 SKELGILLSIDE WORKSHOPS ALSTON ALSTON CA9 3TR UNITED KINGDOM
GLATT, ILANA	6 SKYLINE TERRACE SPRING VALLEY NEW YORK NY 10977
GLATT, ILANA	78 WEST 85TH STREET APT. 3A NEW YORK NY 10024
GLATTHORN, DANIEL V	221 CLINTON STREET APARTMENT 4R HOBOKEN NJ 07030
GLATZ, JUDITH A	2121 GROVE STREET RIDGEWOOD NY 11385-2420
GLAUBER, ALEXANDER	102 EAST 22ND STREET APT 4H NEW YORK NY 10010
GLAUBERMAN, DANIEL	ORTIZ DE OCAMPO 2655 PISO 5, DEPTO 01 BA CAPITAL FEDERAL 1425 ARGENTINA
GLAUBERMAN, DANIEL	ORTIZ DE OCAMPO 2655 PISO 5, DEPTO 01 CAPITAL FEDERAL BA 1425 ARGENTINA
GLAUCOMA FOUNDATION	80 MAIDEN LANE NEW YORK NY 10038
GLAVAN, JEFFREY	21-23 MACDONNELL ROAD FLAT #703, MID-LEVELS HONG KONG SWITZERLAND
GLAVAN, JEFFREY L.	21-23 MACDONNELL ROAD FLAT #703, MID-LEVELS HONG KONG HONG KONG
GLAVAN, JEFFREY L.	21-23 MACDONNELL ROAD FLAT #703, MID-LEVELS HONG KONG SWITZERLAND
GLAVAS, DIMITRI	1203 N KINGS RD #206 WEST HOLLYWOOD CA 90069
GLAVAS, DIMITRI	1203 N KINGS RD #102 WEST HOLLYWOOD CA 90069
GLAVAS, DIMITRI	1203 N KINGS RD APT 206 W HOLLYWOOD CA 900692827
GLAVES, SHASHA	1800 E HEIM AVE UNIT # 63 ORANGE CA 92865
GLAVOR, ROBERT H	948 MONET CIRCLE WALNUT CREEK CA 94597
GLAXO SMITHKLINE FINANCE PLC	ATTN: THE TREASURER 980 GREAT WEST ROAD BRENTFORD MIDDLESEX TW8 9GS UNITED KINGDOM
GLAXO WELLCOME PLC	GLAXO WELLCOME HOUSE BARCLAY AVENUE GREENFORD, MIDDLESEX UB6 0NN UNITED KINGDOM
GLAYAT, BARBARA	225 PARK PL APT 5J BROOKLYN NY 11238-4353
GLAYAT, BARBARA A.	225 PARK PL APT 5J BROOKLYN NY 11238
GLAZA, JAMES	15047 RIDGEFIELD LN COLORADO SPRINGS CO 80921
GLAZEBROOK, SUSAN	6 BERNARD ROAD WALLINGTON SM6 0TU UNITED KINGDOM
GLAZER, HELENE	4830 HARVEST HILL DALLAS TX 75244
GLAZER, JOSH	400 EAST 71ST STREET, APT 22U NEW YORK NY 10021
GLAZER, LINDSAY	50 WEST 75TH STREET APARTMENT 4B NEW YORK NY 10023
GLAZER, MORTON	6023 HIGHCOURT PL DALLAS TX 75254
GLAZER, LINDSAY	17 HUSTED LN GREENWICH CT 068304730
GLAZER, MICHELLE	250 EAST 77TH STREET APT 5C NEW YORK NY 10075
GLAZER, SHARI NICOLE	5B DORADO DRIVE MORRISTOWN NJ 07960
GLAZEWSKI, DOMINIC	7 GLADYS ROAD WEST HAMPSTEAD LONDON NW6 2PU UNITED KINGDOM

Exhibit B

Affidavit of Herb Baer

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS HOLDINGS INC., et al.,

Debtors.

Chapter 11 Case No.

08-13555 (JMP)

(Jointly Administered)

AFFIDAVIT OF HERB BAER

[illegible]

HERB BAER, being duly sworn, deposes and says:

1. I am over the age of eighteen years and am not individually a party to the above-captioned proceedings.

2. I am a Director of Client Services of Epiq Bankruptcy Solutions, LLC (“Epiq”), located at 757 Third Avenue, 3rd Floor, New York, New York 10017. Unless otherwise stated, I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

3. Lehman Brothers Holdings Inc. and its affiliated debtors (the “Debtors”) retained Epiq as their Claims and Noticing Agent pursuant to an Order of the Court dated September 16, 2008. Accordingly, Epiq maintains the official claims register reflecting all claims listed in the Debtor’s Schedules of Liabilities, as amended, and all filed proofs of claim (the “Claims Database”). Additionally, Epiq maintains a database of names and addresses of all potential creditors of the Debtors listed in their Creditor Matrix (together with the Claims Database, the “Master Mailing List”).

4. On July 8, 2009, I caused to be served the “NOTICE OF DEADLINES FOR FILING PROOFS OF CLAIM”, dated July 8, 2009 and a Proof of Claim Form (a “Bar Date Notice”) upon on all names and addresses in the Master Mailing List as they existed at the time (the “Bar Date Mailing”). My Affidavit of Service dated July 10, 2009 details all parties that were served, and the manner in which they were served [Docket # 4349](the “Bar Date Service Affidavit”).

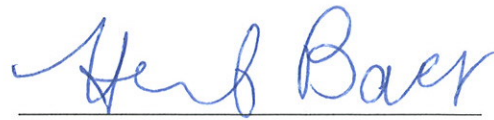
5. As indicated in the Bar Date Service Affidavit, a Bar Date Notice was mailed to Mark Glasser at the following address:

GLASSER, MARK
117 EAST 57TH STREET
APARTMENT 50B
NEW YORK, NY 10022

6. All envelopes used in the Bar Date Mailing bore the words “Address Service Requested”, requesting that the United States Post Office (the “Post Office”) notify Epiq of all mail that is forwarded to another address for the addressee pursuant of a change of address request submitted by the addressee to the Post Office.


7. As part of Epiq’s ongoing maintenance of the Master Mailing List for future mailings, Epiq records all mail that is either (i) Returned by the Post Office as Undeliverable, (ii) Forwarded by the Post Office or (iii) Returned by the Post Office with forwarding information.

8. I have examined the Master Mailing List and have determined that the above-referenced Bar Date Notice mailed to Mark Glasser was not neither returned by the Post Office nor forwarded by the Post Office.



Herb Baer

Sworn to before me this
14th day of April, 2010


Notary Public